

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

SEP 22 2022

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

BENJAMIN BARBER,

Plaintiff-Appellant,

v.

UNITUS COMMUNITY CREDIT UNION;
et al.,

Defendants-Appellees.

No. 22-35580

D.C. No. 3:22-cv-00134-MO
District of Oregon,
Portland

ORDER

Before: M. SMITH, BRESS, and VANDYKE, Circuit Judges.

A review of the record demonstrates that this court lacks jurisdiction over this appeal because the district court granted appellant's motion to reconsider the July 11, 2022 order of dismissal, and reopened the case. *See* Fed. R. App. P. 4(a)(4).

Because the action is still pending in the district court, this appeal is dismissed for lack of jurisdiction. *See* 28 U.S.C. § 1291.

DISMISSED.